

Auditor File #: 2011 0008155

Recorded at the request of:

LANDTEK PROFESSIONAL LAND SURVEYORS

on 11/30/2011 at 11:44

Total of 1 page(s) Paid: \$ 128.00
STEVENS COUNTY, WASHINGTON
TIM GRAY, AUDITOR

AALLEN

SURVEY

OWNERS: E & H ENGINEERING INC

**TO SURVEY
FILED BY LANDTEK PROFESSIONAL LAND SURVEYORS**

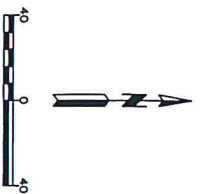
SURVEYOR BRUCE R. LARSEN

SURVEY BOOK 31 PAGE(S) 122

LEGAL DESCRIPTION:

SECTION 20	TWP 36	RGE 38
SECTION	TWP	RGE
SECTION	TWP	RGE
SECTION	TWP	RGE
SECTION	TWP	RGE
SECTION	TWP	RGE

**ADDITIONAL INFORMATION: PORTION BLOCK 2
MEYERS FALLS ADDITION**



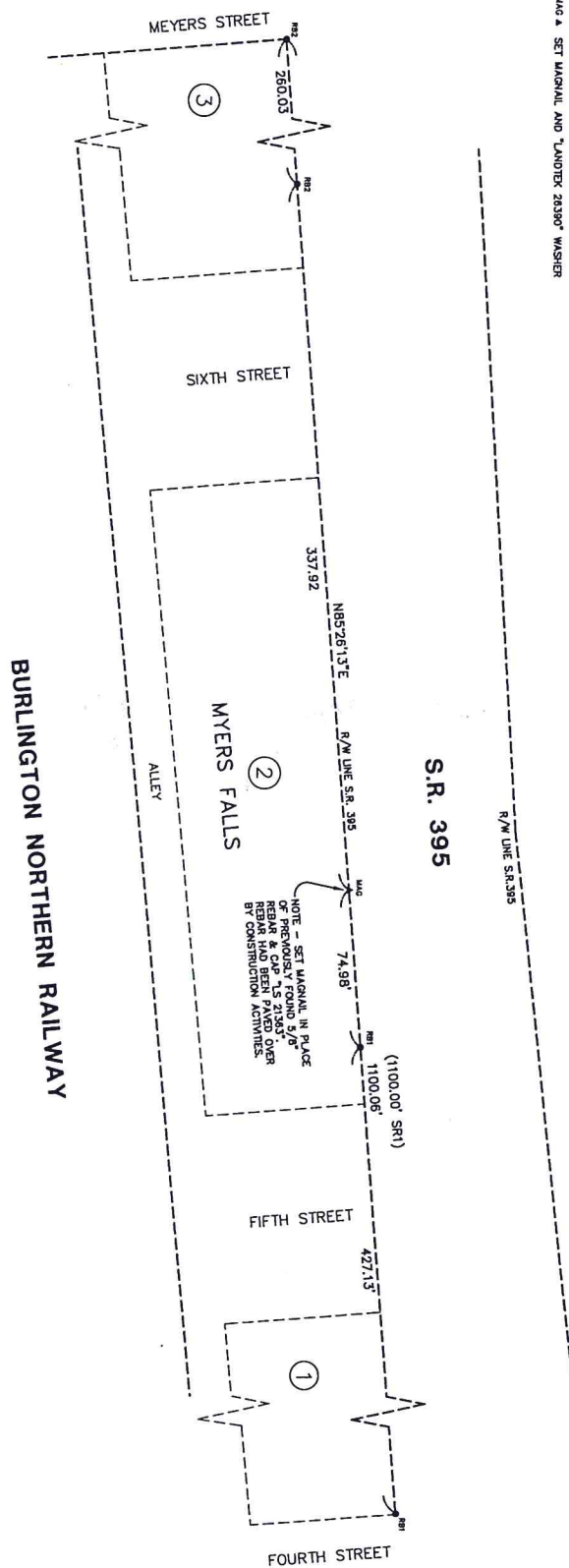
- LEGEND**
- 881 ● FOUND 5/8" REBAR & "LS 21363" CAP
 - 882 ● FOUND 5/8" REBAR & "LS 18648" CAP
 - 883 ▲ SET MAGNOL AND "LANDTEK 26390" WASHER

PURPOSE OF SURVEY
 THE PURPOSE OF THIS SURVEY IS TO COMPLETE THE CONVEYANCE RECORD ONLY, FOR THE REPLACEMENT OF THE 1/4 SECTION 20, TOWNSHIP 36 NORTH, RANGE 38 EAST, W.M. BY CONSTRUCTION ACTIVITIES.
 NO CONCRETE DETERMINATION OF BOUNDARY MATTERS WAS PERFORMED AS PART OF THIS SURVEY.

SURVEYOR'S NOTE
 APPLICATION FOR PERMIT TO REMOVE OR REPAIR A MONUMENT OR MONUMENTS FOR THE PROJECT WAS 332-120-150 WAS NOT FIELD FOR THIS PROJECT.

SURVEY REFERENCES
 (SRT) PLAT OF MYERS FALLS, RECORDED IN VOLUME 11 OF PLATS, PAGE 22, METADON 1890

AUDITOR'S CERTIFICATE
 FILED FOR RECORD BY:
Landtek Professional Land Surveyors
 THIS 30th DAY OF November 2011,
 AT 4:44 MINUTES PAST 11 O'CLOCK A.M.,
 AND RECORDED IN VOLUME 31 OF SURVEYS
 ON PAGE(S) 122.
 Tim Gray
 COUNTY AUDITOR
 20110008155
 AUDITOR'S FILE NO. FILE # 128.00



SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AT THE REQUEST OF E. & H. ENGINEERING, INC., IN OCTOBER, 2011.



BRUCE R. LARSEN, P.L.S.
 CERTIFICATE NO. 28390

DATE 11/29/11

BASIS OF BEARINGS

ASSUMED BEARING OF N85°26'13\"/>

EQUIPMENT AND PROCEDURES

THIS SURVEY WAS PERFORMED WITH A TOPCON HDS-5000 TOTAL STATION. THE FIELD TRAVERSE PROCEDURES USING A 3-SECOND TOTAL STATION WERE USED.

RECORD OF SURVEY

SHEET 1 OF 1

~ MONUMENT PERPETUATION ~
 LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 20, TOWNSHIP 36 NORTH, RANGE 38 EAST, W.M., CITY OF KETTLE FALLS STEVENS COUNTY, WASHINGTON

FILE: 165PROG.dwg 11/16/2011 11:27:30 AM PST



LANDTEK LLC
 PROFESSIONAL LAND SURVEYORS
 619 N. MADEIRA STREET
 SPOKANE, WASHINGTON 99202
 PHONE 509.926.2821 FAX 509.926.2735

FB NO: 178

JOB NO: 11-1659

INDEX DATA KEY

20

31-122

Scale 1in=200 feet.

State of Washington }
County of Stevens. } s.s.

Reserving however, to ourselves and to our heirs and assigns forever the exclusive right to lay down in the streets Armones and Allaps things, all kind of fuel for the conveyance of water and gas, and to repair, maintain and operate the same, - to lay down in the streets Armones and Allaps things, all kind of railways for Horse Cars, Electric Motor and Cable cars, and to repair and operate the same, - to erect in the streets, Armones and Allaps things, poles for wires for Electric Light, Electric Motor, and Telephone purposes, or to lay the same small ground, and to repair and operate the same, - and reserving also at the discretion of the central board of certain streets and avenues hereinafter named, a piece of ground twelve (12) feet square for the creation of fountains or fountains for public use, viz.: Harmon Avenue and Broadway - Harmon Avenue and North Second Street - Harmon and East Broad Avenues, Broadway and Fifth Avenue, - Fifth Avenue and North Second Street, Fifth Avenue and Sixth Avenue Street, Fifth and Park Road, Cypresses, Springing also the strip of land, fronting the street of the City of New York, between the city limits and the further limits that are designated.

Be it further covenanted that no buildings shall be erected on the lots lying adjacent hereto, and divided and platted at the same time and on parts of the same townsite herewith, this townsite shall be known as Niagara Falls.

In witness whereof we have hereunto set our hands and seals
this 18th day of September, A.D. 1890

Chitones

John B. Slater

Prof. A. Meyer.

State of Washington } ss
County of Skaneateles }

On this 27th day of September A.D. 1890 before me a Notary Public in and for the County of Jefferson and State of Washington personally appears Wm. Meyers and Mary E. Meyers living, who personally known to me to be persons whose names are subscribed to this instrument and who acknowledge to me that they signed and sealed the same freely and voluntarily. For these and other facts mentioned, I then the said Mary E. Meyers, wife of Wm. Meyers, duly examined by me separately and apart from her husband, upon the 27th day of September 1890, and the contents of this instrument, I personally acknowledged to me that she executed the same of her own free will, and that she does not wish to retract the same.

I, the undersigned, have hereunto set my hand, and affixed my official seal the day and year in this certificate first above written.

John D. Lister

being of about 3 On this 10th day of September, Oct 1890 when we & (Walter) had a ~~very~~ ^{very} little in and for
 the benefit of others and that of 24 years. For 24 years, I gradually advanced and took a very good knowledge of the
 many subjects where, now is accomplished. It has been a very long and arduous task to me, but I have
 of 40. I have advanced and now I am 40. I have been a very long and arduous task to me, but I have
 increased and my hand and also of my spiritual state. The day and year in this book is just after 1890. (1744)

WHEN RECORDED RETURN TO:

City of Kettle Falls
PO Box 457
Kettle Falls, WA 99141

Auditor File #: 2009 0009028

Recorded at the request of:

KETTLE FALLS, CITY OF

on 10/09/2009 at 14:54

Total of 8 page(s) Paid: \$ 69.00
STEVENS COUNTY, WASHINGTON
TIM GRAY, AUDITOR

AALLEN

DOCUMENT TITLE(S)

1. Mutual Easement Agreement
- 2.
- 3.
- 4.

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

☐ Additional numbers on page _____ of document

GRANTOR(S):

1. James Brown
 2. Joseph Petrucci
 3. Ronald SNYDER
- ☒ Additional names on page 1-4 of document

GRANTEE(S):

1. Ronald Lindquist
 2. Fernell Gas
 3. Bradley Eddy
- ☒ Additional names on page 1-4 of document

LEGAL DESCRIPTION

SEE PAGE 1-4

26-36-38

☐ Additional legal description is on page 1-4 of document

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(S):

331028, 331029, 331100, 437500

☒ Additional legal description is on page 1-4 of document

The Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

After Recording Mail To:

City of Kettle Falls
P.O. Box 457
Kettle Falls, WA 99141

Real Estate Excise Tax	
AFF#	<i>Easmt</i>
Date Pd	
Original	<i>0</i>
Amt Pd	
Int	Pen
Stevens County Treasurer Deputy	
By <i>Sheteman</i>	Date <i>10-2-09</i>

MUTUAL EASEMENT AGREEMENT

THIS AGREEMENT, by and between the City of Kettle Falls; and James C. Brown and Susan R. Brown, husband and wife, as to Parcel 1; Joseph F. Petrucelli, a single person, as to Parcel 2; Ferrellgas, L.P. as successor in interest to Buckeye Gas Products (lessee) as to Parcel 3; Ronald E. Snyder and Anadel D. Snyder, husband and wife, as to Parcel 4; Ronald D. Lindquist, a single person, as to Parcel 5; Kyle P. Thurston, a single person, as to Parcel 6; and Bradley S. Eddy as to Parcel 7; being the owners of real property whose properties lie east of Meyers Street in Kettle Falls, Washington, which properties abut Primary State Highway No. 395; which properties are described below:

1. Parcel No.: 331028

That portion of the N1/2 of the NW1/4 of the NE1/4 of the NW1/4 of Section 20, Township 36 North, Range 38 East, W.M., in Stevens County, Washington, lying Northerly of a line drawn parallel with and distant 9.0 feet Northerly, as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) most Northerly spur track centerline, as now located and constructed, bounded on the West by the Northerly extension of the East line of Harrison Avenue, now Meyers Street, in the City of Kettle Falls, Washington, and bounded on the East by a line drawn parallel with and distant 260.0 feet Easterly, as measured at right angles from said Northerly extension of the East line of said Harrison Avenue.

EXCEPT commencing at the intersection of the Easterly right of way line of Meyers Street (Harrison Avenue), with the Southerly right of way line of State Highway No. 395; thence, along the Southerly right of way line of said State Highway, North 85°44'22" East 150.02 feet to a 5/8" rebar with 1 1/2" aluminum cap and the point of beginning for this description; thence, leaving said right of way line South 0°32'43" East 114.20 feet to a 5/8" rebar with 1 1/2" aluminum cap at the intersection with a line drawn parallel with and distant 9.00 feet Northerly, as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) most Northerly spur track centerline, as now located and constructed; thence, parallel with and 9.00 feet Northerly of said spur track centerline, North 88°44'49" East 7.98 feet; thence North 87°38'23" East 51.08 feet; thence North 86°33'01" East 58.20 feet to a 5/8" rebar with a 1-1/2" aluminum cap at the intersection with a line drawn parallel with and distant 260.00 feet Easterly, as measured at right angles, from the Easterly right of way line of Meyers Street (Harrison Avenue); thence, parallel with the Easterly right of way of said Meyers Street, North 4°10'45" West 116.74 feet to the intersection with the Southerly right of way of State Highway No. 395; thence, along said State Highway right of way line, South 85°44'22" West 109.98 feet to the point of beginning.

2. Parcel No.: 331029

That part of the N1/2 of the NW1/4 of the NE1/4 of the NW1/4 of Section 20, Township 36 North, Range 38 East, W.M., in the City of Kettle Falls, Stevens County, Washington, described as follows:

Commencing at the intersection of the Easterly right of way line of Meyers Street (Harrison Avenue), with the Southerly right of way line of State Highway No. 395; thence, along the Southerly right of way line of said State Highway, North 85°44'22" East 150.02 feet to a 5/8" rebar with 1 1/2" aluminum cap and the point of beginning for this description; thence, leaving said right of way line South 0°32'43" East 114.20 feet to a 5/8" rebar with 1 1/2" aluminum cap at the intersection with a line drawn parallel with and distant 9.00 feet Northerly, as measured at right angles from the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) most Northerly spur track centerline, as

now located and constructed; thence, parallel with and 9.00 feet Northerly of said spur track centerline, North 88°44'49" East 7.98 feet; thence North 87°38'23" East 51.08 feet; thence North 86°33'01" East 58.20 feet to a 5/8" rebar with a 1-1/2" aluminum cap at the intersection with a line drawn parallel with and distant 260.00 feet Easterly, as measured at right angles, from the Easterly right of way line of Meyers Street (Harrison Avenue); thence, parallel with the Easterly right of way of said Meyers Street, North 4°10'45" West 116.74 feet to the intersection with the Southerly right of way of State Highway No. 395; thence, along said State Highway right of way line, South 85°44'22" West 109.98 feet to the point of beginning.

3. Parcel No.: 437500

Leased property, warehouse and tank described as:

That part of the right of way of the said Railway Company lying between lines drawn at right angles to the centerline of the main track of the said Railway Company as measured from points therein as survey stations 442 plus 85 and 444 plus 85 lying northerly of a line parallel to and distant 9 feet northerly from the center line of the industry track of the said Railway Company as shown outlined on the print attached, marked Exhibit "A" and made apart hereof.

4. Parcel No.: 331400

That part of Block 2 of MEYERS FALLS, in the Town of Kettle Falls, recorded in Book A of Plats, page 22 in Stevens County, Washington, described as follows:

Commencing at the Northwest corner of said Block 2; thence East 100 feet; thence South parallel with the West boundary of said Block a distance of 20 feet to the South boundary of Primary State Highway No. 3, for the point of beginning; thence South parallel with the West line of said Block, 60 feet; thence East parallel with the North line of said Block, 40 feet; thence North parallel with the West line of said Block 60 feet, more or less, to the South boundary line of said highway; thence West 40 feet to the point of beginning.

EXCEPT right of way for Primary State Highway No. 3, Meyers Falls to Kettle Falls Bridge, acquired by State of Washington, by deed dated November 3, 1939, recorded in Book 108 of Deeds, page 75.

Parcel No.: 331320

The E2/3 of Block 2, Meyers Falls, in the Town of Kettle Falls, recorded in Book A of Plats, page 22 in Stevens County, Washington.

Together with the vacated alley, adjacent to and abutting upon said premises

EXCEPT the East 105 feet thereof.

EXCEPT Commencing at the Northwest corner of said Block 2; thence East 100 feet; thence South parallel with the West boundary of said Block a distance of 20 feet to the South boundary of Primary State Highway No. 3, for the point of beginning; thence South parallel with the West line of said Block, 60 feet; thence East parallel with the North line of said Block, 40 feet; thence North parallel with the West line of said Block 60 feet, more or less, to the South boundary line of said highway; thence West 40 feet to the point of beginning.

EXCEPT right of way for Primary State Highway No. 3, Meyers Falls to Kettle Falls Bridge, acquired by State of Washington, by deed dated November 3, 1939, recorded in Book 108 of Deeds, page 75.

Parcel No.: 331360

The East 30 feet of Block 2, Meyers Falls, in the Town of Kettle Falls, recorded in Book A of Plats, page 22 in Stevens County, Washington,

Together with all of vacated 5th Street adjacent to and abutting upon said lot to the East, and together with the vacated alley, adjacent to and abutting upon said lot and street to the south.

EXCEPT right of way for Primary State Highway No. 3, Meyers Falls to Kettle Falls Bridge, acquired by State of Washington, by deed dated November 3, 1939, recorded in Book 108 of Deeds, page 75.

Parcel No.: 331095

The East 95 feet of Block 1 of Meyers Falls, in the Town of Kettle Falls, according to plat recorded in Volume A of Plats, page 22, in Stevens County, Washington, lying South of the right of way for Primary State Highway No. 3, Meyers Falls, Kettle Falls Bridge and North of the right of way of the Great Northern Railway Company, together with the vacated alley lying South thereof and North of said railway right of way, abutting thereon.

5. Parcel No.: 331340

The West 75 feet of the East 105 feet of Block 2 of Meyers Falls, in the Town of Kettle Falls, according to plat recorded in Volume A of Plats, page 22, in Stevens County, Washington, lying South of the right of way for Primary State Highway No. 3, Meyers Falls to Kettle Falls Bridge and North of the right of way of the Great Northern Railway Company.

Together with that part of the vacated alley, running in an Easterly and Westerly direction through the East 2/3 of said Block 2, lying adjacent to and abutting thereon.

6. Parcel No. 331200

Block 1 of Meyers Falls, in the Town of Kettle Falls, according to plat recorded in Book A of Plats, page 22, in Stevens County, Washington.

TOGETHER with that part of the vacated alley adjacent to and abutting thereon to the South.

EXCEPT right of way for Primary State Highway No. 3, and right of way for Great Northern Railway Company.

EXCEPT the East 150 feet thereof.

7. Parcel No.: 331101

The East 25 feet of the West 175 feet of Block 1 of Meyers Falls, in the town of Kettle Falls, according to Plat recorded in Book A of Plats, page 22, in Stevens County, Washington.

TOGETHER with that part of the vacated alley adjacent to and abutting thereon to the South.

EXCEPT the right of way for Primary State Highway No. 3, and right of way for Great Northern Railway Company.

Parcel No.: 331100

The West 30 feet of the East 125 feet of Block 1 of Meyers Falls, in the Town of Kettle Falls, according to Plat recorded in Volume A of Plats, page 22, in Stevens County, Washington, lying South of the right of way for Primary State Highway 3, Meyers Falls to Kettle Falls Bridge and North of the right of way of Great Northern Railway Company.

TOGETHER with the vacated alley lying South thereof and North of said railway right of way, abutting thereon.

And

WHEREAS, the City of Kettle Falls will be constructing a side walk, curb and cutouts along the north side of the above-described parcels; and

WHEREAS the parties wish to establish mutual easements for access to their respective properties from the ways of entry to be constructed which provide access from Highway 395 now, therefore,

IT IS AGREED as follows:

1. Brown does hereby grant to Petrucelli an easement for ingress and egress over and across the cutout located on the north side of the Brown parcel #331028, approximately 125 feet east of the centerline of Meyers Street.

2. Petrucelli, Brown (as contract holder), and Ferrellgas, L.P., as owner, do grant to each other a mutual easement for ingress and egress on the cutouts located on the north side of their respective properties (being parcel 331029 for Petrucelli and parcel 437500 for Ferrellgas), which cutouts are located approximately 180 feet and 355.42 feet, respectively, east of the centerline of Meyers Street.

3. Ferrellgas, L.P., as owner, do hereby grant to Snyder an easement for ingress and egress on the cutout located 355.42 feet east of the centerline of Meyers Street.

4. Snyder, Lindquist and Thurston hereby grant to each other a mutual easement for ingress and egress over and across the cutouts located 518.61 feet and 674.05 feet, respectively, east of the centerline of Meyers Street and on the north side of their respective parcels.

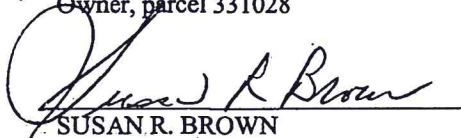
5. Eddy and Snyder hereby grant to Thurston an easement for ingress and egress over and across the cutout located 879.92 feet east of the centerline of Meyers Street and on the north side of his parcel.

6. The easements granted shall run with the land and this agreement shall be binding upon the heirs, successors and/or assigns of the parties hereto.

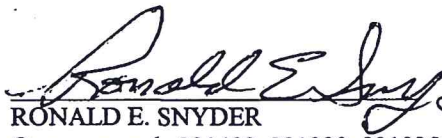
DATED this ____ day of June, 2009.

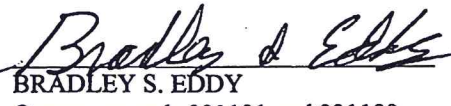

JAMES C. BROWN
Owner, parcel 331028

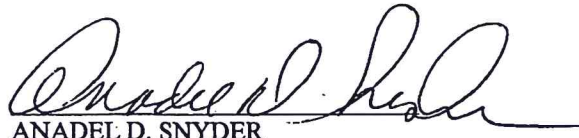

JOSEPH F. PETRUCCELLI
Owner, parcel 331029


SUSAN R. BROWN
Owner, parcel 331028


RONALD D. LINDQUIST
Owner, parcel 331340


RONALD E. SNYDER
Owner, parcels 331400, 331320, 331095


BRADLEY S. EDDY
Owners, parcels 331101 and 331100


ANADEL D. SNYDER
Owner, parcels 331400, 331320, 331095

STATE OF WASHINGTON)
) ss.
COUNTY OF STEVENS)

I certify that I know or have satisfactory evidence that JAMES C. BROWN and SUSAN R. BROWN are the persons who appeared before me, and who acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 13th day of June, 2009.



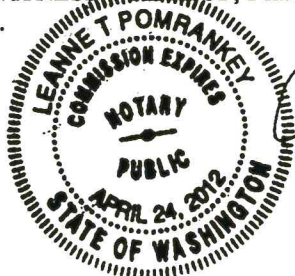
Leanne T. Pomraney
Notary Public in and for the State
of Washington, residing at Kettle Falls

My Commission expires: April 24, 2012

STATE OF WASHINGTON)
) ss.
COUNTY OF STEVENS)

I certify that I know or have satisfactory evidence that JOSEPH F. PETRUCELLI is the person who appeared before me, and who acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of June, 2009.



Leanne T. Pomraney
Notary Public in and for the State
of Washington, residing at Kettle Falls

My Commission expires: April 24, 2012

STATE OF WASHINGTON)
) ss.
COUNTY OF STEVENS)

I certify that I know or have satisfactory evidence that RONALD E. SNYDER and ANADEL D. SNYDER are the persons who appeared before me, and who acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

R IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 10th day of ~~June~~ Sept., 2009.



Leanne T. Pomraney
Notary Public in and for the State
of Washington, residing at Kettle Falls

My Commission expires: April 24, 2012

STATE OF WASHINGTON)

) ss.

COUNTY OF STEVENS)

I certify that I know or have satisfactory evidence that RONALD D. LINDQUIST is the person who appeared before me, and who acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

of IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 3rd day of ~~June~~, 2009.
September



Leanne T. Pomraney
Notary Public in and for the State
of Washington, residing at Kettle Falls

My Commission expires: April 24, 2012

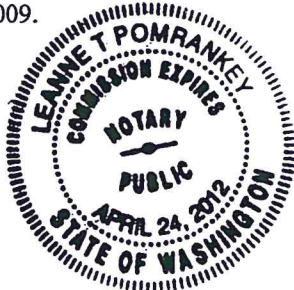
STATE OF WASHINGTON)

) ss.

COUNTY OF STEVENS)

I certify that I know or have satisfactory evidence that BRADLEY S. EDDY is the person who appeared before me, and who acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16th day of June, 2009.



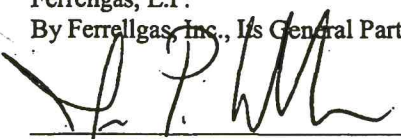
Leanne T. Pomraney
Notary Public in and for the State
of Washington, residing at Kettle Falls

My Commission expires: April 24, 2012

3. Ferrellgas, L.P. as owner, do hereby grant to Snyder an easement for ingress and egress on the cutout located 355.42 feet east of the centerline of Meyers Street.
4. Snyder, Lindquist and Thurston hereby grant to each other a mutual easement for ingress and egress over and across the cutouts located 518.61 feet and 674.05 feet, respectively, east of the centerline of Meyers Street and on the north side of their respective parcels.
5. Eddy and Snyder hereby grant to Thurston an easement for ingress and egress over and across the cutout located 879.92 feet east of the centerline of Meyers Street and on the north side of his parcel.
6. The easements granted shall run with the land and this agreement shall be binding upon the heirs, successors and/or assigns of the parties hereto.

DATED this 8th day of June, 2009.

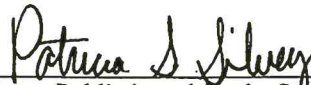
Ferrellgas, L.P.
By Ferrellgas, Inc., Its General Partner


Jason P. Cullen
Title: DIRECTOR OF REAL ESTATE & OFFICE SERVICES
Owner, parcel 437500

STATE OF WASHINGTON)
) ss.
COUNTY OF STEVENS)

I certify that I know or have satisfactory evidence that JASON P. CULLEN is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the Director of Real Estate & Office Services of FERRELLGAS, INC. / GENERAL PARTNER to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 8th day of June, 2009.


Notary Public in and for the State
of Missouri, residing at Clay County
My Commission expires: August 21, 2012

